

**REMARKS**

In the current Office Action, claims 1-3, 5-12 and 14 stand rejected under 35 USC 103(a) as unpatentable over Kiumi Hideo (JP 2001-313701, hereinafter “Hideo”) in view Iijima Takahiro (JP 2001-298513, hereinafter “Iijima”). Claim 13 is objected to but would be considered allowable if rewritten as an independent claim. In response, Applicant submits the following remarks, without claim amendments. Applicant has also added new claim 15, which depends from claim 1.

The undersigned thanks the Examiner for the Interview conducted on June 7, 2010. The content of the Interview is detailed in the Agenda that was previously faxed to the Examiner prior to the Interview, a copy of which is included with this response. During the Interview, as set forth in the Agenda, the undersigned and the Examiner discussed the prior art, particularly Iijima. Based on the translated portions of Iijima included with the Agenda, the Examiner acknowledged that Iijima was no longer applicable to the rejected claims. During the Interview, the Examiner cited new reference US Patent No. 6,944,481 to Hama et al. (“Hama”). The Examiner asserted that Figs. 2, 11 and 12 of Hama in combination with the previously cited portions of Hideo rendered the claims obvious. For the foregoing reasons, Applicant submits that the pending claims are not rendered obvious by the cited prior art and hence are allowable.

Hideo discloses a portable electronic device including an inner LCD 22 (main display) which is exposed when the housings are in an opened state and is hidden or not exposed when the housings are in the closed state. Hideo further discloses and an outer LCD 32 (sub-display) which is exposed both in the opened state and closed state of the housings. In the opened state of the housings, information is displayed on the exposed inner LCD 22 (main display) and in the closed state, information is displayed on the outer LCD 32 (sub-display),

which is exposed both in the opened state and closed state. In other words, the display on which information is displayed is switched from one to the other in accordance with the opened/closed state of the housings.

Likewise Hama, which was first cited during the Interview, discloses a portable terminal including a main display 102 which is exposed in an opened state of housings and is not exposed in a closed state of the housings, and a sub-display 118 which is exposed both in the opened state and closed state of the housings. In the opened state of the housings, information is displayed on the main display 102 being exposed in the open state, and in the closed state, information is displayed on the sub-display 118 which is exposed both in the opened state and closed state. In other words, the display on which information is displayed is switched from one to the other in accordance with the opened/closed state of the housings.

In contrast to Hideo and Hama, the portable terminal of claims 1 and 9 of the present application includes a display unit which is visible to a user both in a closed state and an opened state. A screen on the display unit displays a **first** selection screen which displays items and that same display displays a **second** selection screen which is **different from the first** selection screen and those screens are displayed based on whether the housings are in the opened state or closed state. Furthermore, as recited in claim 1 and its dependent claims, the first selection screen allows a selection to be made using the auxiliary input unit in the closed state, and the second selection screen is appropriate for an operation by the main input unit in the opened state. In other words, in the portable terminal of independent claims 1 and 9, both of the first and second selection screens are displayed on the same display unit. Furthermore, the control device switches between the first selection screen and the second selection screen in accordance with a state detected by the state detecting device.

As stated above, Hideo and Hama fail to disclose a portable terminal in which different screens, one of which allows a selection to be made using the auxiliary input unit and the other of which is appropriate for an operation by the main input unit, are displayed on the **same display** unit which is visible to a user both in a closed state and an opened state, and are switched from one to the other in accordance with the opened/closed state of the housings.

Applicant submits that Iijima is also unavailing for the reasons set forth in the Agenda and discussed during the Interview. The Examiner stated in “Response to Arguments” in the Office Action that Iijima teaches a screen on said display units is able to display a first selection screen (Fig. 3c)... when both of said housings are in said closed state, and a screen on said display units is able to display a second selection screen (Fig. 4a) which is different for said first selection screen (Fig. 3c). As explained during the Interview and in the Agenda, Iijima, as shown in the translated text and translated drawing submitted with the Agenda<sup>1</sup>, fails to teach or suggest a control device which switches a display screen on the display unit depending on the opened/closed state of the housings. This is apparent from the translated portion of Iijima, which provides “*when the lid 5 is closed after being rotated by 180° about the second rotational axis 4b of the hinge 4 without clicking the end icon 15, the lid 5 can be placed in a closed state while the display 6 is exposed to outside, and the mode selection image 10 is still displayed on the display 6, as shown in FIG. 3(c).*”

In agreement with the above description, the screen image shown in Fig. 3c and the screen image shown in Fig. 4a of Iijima are identical. Although Fig. 3 does not show screen images corresponding to the screen images shown in Fig. 4b and Fig 4c, it would be easy to

---

<sup>1</sup> The translated portion of Iijima provides: [0034] After the operation of telephone calling/incoming or the operation of non-verbal mode service ends, the lid 5 is to be closed. When the lid 5 is closed after being rotated by 180° about the second rotational axis 4b of the hinge 4 without clicking the end icon 15, the lid 5 can be placed in a closed state while the display 6 is exposed to outside, and the mode selection image 10 is still displayed on the display 6, as shown in FIG. 3(c). If the mobile telephone is carried in this state, a user can quickly respond to a telephone calling/incoming or, in particular, to a non-verbal service, as will be explained below.

imagine that the screen images shown in Fig. 4b and Fig 4c would also be displayed in the closed state when the lid 5 is closed after being rotated by 180° about the second rotational axis 4b of the hinge 4 without clicking the end icon 15.

In conclusion, a person of ordinary skill in the art could not combine the teachings of Hideo, Iijima and Hama to arrive at the invention of claims 1 and 9, or their dependent claims. For at least the reasons set forth above, Applicant respectfully submits that claims 1-3 and 5-14 are in condition for allowance. New dependent claim 15 is also allowable for the same reasons claim 1 is allowable. For at least those reconsideration and prompt allowance of this application are respectfully requested.

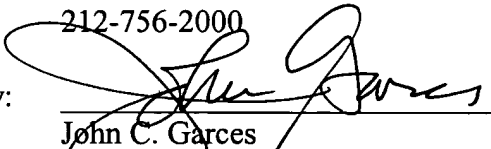
The Examiner is urged to telephone Applicant's undersigned counsel if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-58.

Respectfully submitted,

Schulte Roth & Zabel LLP  
919 Third Avenue  
New York, NY 10022  
212-756-2000

Dated: June 17, 2010  
New York, New York

By:

  
John C. Garces  
Attorney for Applicant  
Reg. No. 40,616